



October 18, 2011

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

RE: Request for Review	Billed Entity #	140032
CC Docket No. 02-6	Form 471 Application	793308
CC Docket No. 96-45	FRN	2147698

Dear Sirs:

Please find attached an appeal presented to the USAC, October 3, 2011. This appeal was denied based upon the requirement that the appeal be postmarked within 60 days of the date of when the Funding Commitment Decision Letter was issued by USAC. Below is an appeal to that decision based upon the facts given.

Avant Public Schools (APS) was a member of the Osage County Interlocal Cooperative (OCIC) and as a member service OCIC prepared and submitted Erate applications for the past several years. In the spring 2011, the district was forced to take drastic cost cutting measurements to avoid consolidation. APS made the decision to pull out of the cooperative because they could no longer pay the membership fees required to be a member. The last date of their membership was June 30, 2011.

In the transition from OCIC being responsible for the erate process to the APS Superintendent learning and taking over the duties of the erate coordinator, the 60 days passed from the date of the Funding Commitment Decision Letter from USAC. When the clerical error made on OCIC's part was realized by the APS Superintendent it was beyond the 60-day rule. As you can tell by the attachment of the telephone bill, this additional expense of \$2000.00 will make for an incredible hardship for an already struggling rural school district. We respectfully request that you consider this appeal in favor of the school district.

Sincerely,

Anita Washmon
Osage County Interlocal Cooperative

cc: Richard Harris



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2011-2012

October 07, 2011

Anita Washmon
Anita Washmon
207 E. Main Street
Hominy, OK 74035


Re: Applicant Name: AVANT SCHOOL DISTRICT 35
Billed Entity Number: 140032
Form 471 Application Number: 793308
Funding Request Number(s): 2147698
Decision Letter Date: June 23, 2011
Date Appeal Postmarked: October 03, 2011
Your Correspondence Dated: October 03, 2011

Our records show that your appeal was postmarked more than 60 days after the date your Funding Commitment Decision Letter was issued, as shown above. Federal Communications Commission (FCC) rules require applicants to postmark appeals within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Universal Service Administrative Company (USAC) to consider your appeal.

If you believe there is a basis for further examination of your application, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be POSTMARKED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

Schools and Libraries Division
Universal Service Administrative Company

cc: Richard Harris

From: Anita Washmon <awashmon@ocic.k12.ok.us>
To: appeals@sl.universalservice.org
Date: 10/03/2011 02:23 PM
Attachments:  Windstream:Avant.pdf (90 kB)
Subject: Letter of Appeal

October 3, 2011

RE: Letter of Appeal

Dear Sirs:

Appellant name:	Anita Washmon
Applicant name:	Avant School District 35
Contact Person:	Anita Washmon (918) 885-2667 phone (918) 885-6742 fax awashmon@ocic.k12.ok.us
Provider name:	Windstream Communications, Inc.
Applicant BEN:	140032
SPIN:	143030766
Form 471 Application #:	793308
FRN#:	2147698

This letter is an appeal to the Funding Commitment Decision Letter for Funding Year 2011: 07/01/2011 – 6/30/2012 for the above referenced applicant, Avant School District 35. The decision for the above referenced FRN was based on the Windstream billing due date of November 10, 2010. An amount of \$65.56 was requested per month; but this did not include the E-Rate Schl/Lbry Discount of \$179.19 as listed on the summary on the billing. A clerical error on our part resulted in the smaller amount being requested when the actual amount should have been \$244.75 per month. This error has placed a significant hardship on this small rural school district. An honest mistake was made on the 471 application. There was no intent to mislead the USAC.

I respectfully submit this letter of appeal for your consideration.

Attachment.

Form 471 Item 21 Attachment
BEN: 140032
windstream. 471 Application #793308

Avant - Item 21 - Windst 2011
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Account number 100084160 Telephone number 918-263-2135 Due date November 10, 2010

SUMMARY OF CURRENT CHARGES BY SERVICE PROVIDER

WINDSTREAM 55.25
WINDSTREAM SOUTHWEST LD 10.31

65.56

SERVICE PROVIDER(S)

Your InterLATA long distance carriers are:

WINDSTREAM SOUTHWEST LD

Your IntraLATA long distance carriers are:

WINDSTREAM SOUTHWEST LD

* If you have multiple telephone numbers, further information concerning long distance carrier assignments for those additional lines is on record with Windstream Communications Customer Service.

WINDSTREAM CURRENT CHARGES

Service from 10/27/10 to 11/21/10
Toll charge inquiries call 1-800-843-9214

BASIC MONTHLY SERVICE 8.53
TAXES & SURCHARGES 16.40
TOTAL BASIC SERVICE CURRENT CHARGES 24.93

OPTIONAL SERVICE 30.32
TOTAL OPTIONAL SERVICE CURRENT CHARGES 30.32

WINDSTREAM CURRENT CHARGES 55.25

Receipt of the full amount of your bill by the due date is appreciated. Thank you for choosing Windstream Communications. AVOID DISCONNECTION! All of the charges must be paid each month to keep your account current and avoid collection activities. However, certain charges MUST be paid including basic local service, optional service and intrastate toll in order to avoid disconnection of basic local service.

WINDSTREAM BASIC SERVICE TAXES & SURCHARGES

MUNICIPAL FRANCHISE FEE 2.57
OK UNIVERSAL SERVICE FUND 3.13
OK TELECOMM RELAY SVC (FED) .12
EMERGENCY SERVICE CHARGE (911) 6.42
FCC USF CHARGE 3.89
OK REGULATORY ASSESSMENT FEE .27
TOTAL BASIC SERVICE TAXES & SURCHARGES 16.40

WINDSTREAM BASIC SERVICE SUMMARY

Description	Qty	Amount
BUSINESS CONNECT BUNDLE	1	64.99
ROTARY HUNT	3	.00
BLOCK 9XX CALLS-1ST	1	.00
BUSINESS LINE	3	178.34
CONNECT BUNDLE CREDIT	1	42.78 CR
CIRCLE SAVER 32	1	8.25
LOCAL NUMBER PORTABILITY SURCH	4	1.32
E-RATE SCHL/LBRY DISC FY 10-11	1	179.19 CR
WIDE AREA CALL PLAN ADDTY- BUS	3	.00
INTERSTATE SUBSCRIBER LINE C	3	27.60
TOTAL BASIC SERVICE MONTHLY SERVICE		8.53

WINDSTREAM OPTIONAL SERVICE SUMMARY

Description	Qty	Amount
VOICEMAIL	1	.00
DEREGULATED ADMINISTRATION FEE	1	7.92
PROTECTION PLUS PLAN-BUS	3	18.00
STANDARD-DESK TPI TOUCH	2	9.40
TOTAL OPTIONAL SERVICE MONTHLY SERVICE		30.32

DETAIL OF CALLING PLAN(S)

Circle Saver 32 Summary
0 minutes used
60 minutes of allotment
0 minutes of overtime @ .120 /minute

WINDSTREAM CUSTOMER MESSAGE

Visit your local Windstream Communications store in Broken Arrow, OK today:

2449 W. Kenosha
918-258-4769
Hours: 8:30-5:30 M-F

Important improvements to your bill statement

Beginning with this statement, your monthly equipment maintenance plan charges have been consolidated into a single Windstream bill statement. We hope you enjoy the convenience and efficiency of processing one invoice for all your Windstream network services and equipment maintenance charges. Should you have questions regarding this change, please contact Customer Service at 800-843-9214 or your Account Manager.

BILLING FOR WINDSTREAM SOUTHWEST LD

The following charges appear on your Windstream Communications invoice as a service to WINDSTREAM SOUTHWEST LD. For billing questions about the calls listed in this section, please call WINDSTREAM SOUTHWEST LD directly at 1-800-843-9214.

WINDSTREAM SOUTHWEST LD CURRENT CHARGES

LONG DISTANCE CHARGES 5.00
TAXES & SURCHARGES TOLL SVC 5.31
TOTAL TOLL SERVICE CURRENT CHARGES 10.31

TOTAL WINDSTREAM SOUTHWEST LD CURRENT CHARGES

WINDSTREAM SOUTHWEST LD TOLL SERVICE TAXES & SURCHARGES

CARRIER COST RECOVERY 1.42
INTERSTATE ACCESS SURCHARGE 2.55
UNIVERSAL SERVICE FUND .08
FCC USF CHARGE 1.26
TOTAL TOLL SERVICE TAXES & SURCHARGES

DETAIL OF WINDSTREAM SOUTHWEST LD

Direct Dialed Calls
Detail for 918-263-2135

No.	Date	Time	Number	Area	Code	Rate	Amount
1	09/15	0848A	405 522-6826	OKLA CITY	OK S D	2.9	.00
2	09/15	0909A	202 260-7349	WASHINGTON	DC S D	0.9	.00
3	09/15	0317P	405 521-4873	OKLA CITY	OK S D	1.4	.00
4	09/15	0319P	405 521-4873	OKLA CITY	OK S D	1.5	.00
5	09/16	0909A	918 793-2021	SHIDLER	OK S D	0.6	.00
6	09/16	0910A	580 269-2921	KAN CITY	OK S D	1.9	.00
7	09/16	0912A	918 793-4111	SHIDLER	OK S D	1.8	.00
8	09/16	0939A	918 532-4344	COPAN	OK S D	1.1	.00
9	09/20	1248P	417 875-3310	SPRINGFLD	MO S D	1.3	.00
10	09/20	0123P	918 532-4344	COPAN	OK S D	1.4	.00
11	09/20	0402P	918 336-6804	BARTLESVL	OK S D	0.5	.00
12	09/21	0953A	918 331-1020	BARTLESVL	OK S D	0.7	.00
13	09/21	0958A	918 331-1020	BARTLESVL	OK S D	1.5	.00
14	09/21	1005A	417 838-3802	SPRINGFLD	MO S D	0.8	.00
15	09/22	1174A	405 521-3587	OKLA CITY	OK S D	1.5	.00
16	09/22	1126A	918 287-5517	PAWUSKA	OK S D	3.2	.00
17	09/22	0133P	918 532-4344	COPAN	OK S D	0.3	.00
18	09/22	0133P	918 532-4344	COPAN	OK S D	1.6	.00
19	09/22	0309P	405 521-3472	OKLA CITY	OK S D	0.3	.00
20	09/22	0309P	405 521-3472	OKLA CITY	OK S D	8.5	.00
21	09/23	0832A	405 521-3337	OKLA CITY	OK S D	1.4	.00
22	09/29	0137P	918 336-6892	BARTLESVL	OK S D	1.6	.00

179.19

65.56

244.75

13177 6522305 026365 062709 02400002